

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

June 18, 2004

IN RE:

**PETITION OF BELL SOUTH
TELECOMMUNICATIONS, INC. FOR EXEMPTION OF
CERTAIN SERVICES.**

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**DOCKET NO.
03-00391**

ORDER GRANTING JOINT MOTION AND AMENDING PROCEDURAL SCHEDULE

On June 16, 2003 BellSouth Telecommunications, Inc. ("BellSouth") and Citizens Communications, Inc. (collectively "the Petitioners") filed a *Petition for Exemption of Certain Services* (the "*Petition*") in this docket. The Petitioners request exemption from regulation of their intraLATA toll service and primary rate ISDN ("PRI") service. This matter is before the Hearing Officer for consideration of the *Joint Agreed Motion of BellSouth Telecommunications, Inc., the Consumer Advocate Division, AT&T Communications of the South Central States, LLC and Citizens Communications Company of Tennessee, LLC to Dispense with Live Hearing* ("*Joint Motion*") filed by the parties on June 17, 2004.

On February 23, 2004 the Hearing Officer issued an order setting out a procedural schedule for the remainder of this Docket as follows:

April 5, 2004	first round discovery requests served
April 16, 2004	proposed protective order(s) filed
April 19, 2004	responses to first round discovery requests served

April 27, 2004	second round discovery requests served together with any motion(s) to compel responses to first discovery requests
May 10, 2004	responses to second round discovery requests served
May 14, 2004	responses filed pursuant to any order granting a motion to compel
May 28, 2004	direct testimony filed
June 11, 2004	rebuttal testimony filed
June 22, 2004	9:00 a.m. hearing before the Panel
July 16, 2004	post hearing briefs and parties' proposal for procedural schedule for PRI exemption filed

On June 15, 2004 the Hearing Officer issued an order finding that only BellSouth had caused direct testimony to be filed in this docket, that no party had filed rebuttal testimony in this docket, and that this matter was ready for hearing. The June 15, 2004 order directed that the voting panel assigned to this docket would receive testimony only from BellSouth's witness and that rebuttal testimony would be permitted only to address direct testimony that exceeded the scope of pre-filed testimony.

In the June 17, 2004 *Joint Motion* the parties propose the following modifications to the current procedural schedule:

- 1) That the hearing currently set for June 22, 2004 be cancelled;
- 2) That the direct testimony, as well as the discovery in this case, be entered into the record;
- 3) That BellSouth file a proposal outlining the relief it seeks regarding intraLATA toll service by June 28, 2004;
- 4) That the parties file briefs addressing the relief to be granted regarding intraLATA toll service on July 16, 2004;

5) That July 16, 2004 remain the date for the filing of a proposed procedural schedule regarding the issue of exempting primary rate ISDN service; and

6) That the parties retain the right to file a motion seeking oral argument before the panel after the parties' briefs are filed on July 16, 2004.

Based on the agreement of the parties the Hearing Officer finds the *Joint Motion* well taken.

IT IS THEREFORE ORDERED THAT:

The *Joint Motion* is granted, **the hearing set for June 22, 2004 is cancelled**, and the procedural schedule in this docket is modified as set forth above.


Randal L. Gilliam, Hearing Officer